
UNITED STATES DISTRICT COURTSOUTHERN DISTRICT OF TEXAS
United States District Court
Southern District of Texas

Vakinyha Johnson,

Plaintiff,

versus

Asurion Insurance Company, LLC,

Defendant.

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§**ENTERED**
December 20, 2017
David J. Bradley, Clerk

Civil Action H-17-2961

Opinion on Dismissal

Vakinyha Johnson did not exhaust her administrative remedies. She filed a charge of discrimination against Asurion Insurance Company, LLC, with the Equal Employment Opportunity Commission on September 28, 2017. In the charge, she says that Asurion discriminated against her because of her disability. She said that it did not reasonably accommodate her seizures and fired her.

The EEOC dismissed her charge the same day because it was filed more than a year too late. She says that she was last discriminated against on November 3, 2015 – the day she was fired. That was 695 days before her EEOC charge. Because she did not timely file her charge with the EEOC, her claim of disability discrimination will be dismissed.

In her complaint, she says that Asurion also discriminated against her because of her sex. Because she did not include sex discrimination in her EEOC charge, that claim will be dismissed.

Johnson did not file her EEOC charge in the 300-day limit, nor did she allege sex discrimination in the charge. Her case will be dismissed with prejudice.

Signed on December 20, 2017, at Houston, Texas.



Lynn N. Hughes
United States District Judge